

FILED '08 NOV 21 09:03 USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

RODNEY L. SANER,
Petitioner,

Civil No. 07-1196-CL

v.

MARK NOOTH,
Respondent.

ORDER

PANNER, Judge.

Magistrate Judge Mark D. Clarke has filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have given this matter *de novo* review. I find no error. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#31) is adopted. The petition (#1) is denied.

IT IS SO ORDERED.

DATED this 20 day of November, 2008.

A handwritten signature in cursive script, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER
United States District Judge